

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
NO: 5:04-CR-00062-BR
NO: 5:16-CV-00269-BR

LEVERNE SILVER

v.

UNITED STATES OF AMERICA

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ORDER

This matter is before the court on the government's motion to dismiss petitioner's 28 U.S.C. § 2255 motion. At the time the government filed its motion, petitioner was represented by court-appointed counsel. Counsel did not file a response to the motion. Recently, the court allowed counsel to withdraw. Because petitioner is now proceeding *pro se*, the court will allow him the opportunity to respond to the government's motion to dismiss. Accordingly, within 10 days, the government is DIRECTED to serve on petitioner a copy of its motion and memorandum in support and file a certificate of service to that effect. The Clerk is then DIRECTED to serve petitioner notice of his obligation to respond to the motion.

This 11 April 2017.



W. Earl Britt
Senior U.S. District Judge